

CITY OF MILFORD  
REGULAR MEETING  
APRIL 3, 2007  
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Community Room in said City on the 3<sup>rd</sup> day of April 2007 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Jeff Baker, Dean Bruha, Rick Fortune, Lyle Neal; Attorney Robert Blevens; Chief of Police Forrest Siebken, Maintenance Supt. Mark Frey, City Clerk Jeanne Hoggins. Also present: Pat Bruha, John Melena, Kathy Eberly and Nancy McGill with the press.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

**CALL TO ORDER:** Mayor Plessel called the meeting to order at 7:35 p.m. Mayor Plessel publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the east wall of the Webermeier Community Room.

**MINUTES:** A motion was made by Fortune and seconded by Baker to approve the minutes of the March 6, 2007 meeting. Roll call vote: Fortune yes, Baker yes, Bruha yes, Neal yes. Motion carried.

**PAYMENT OF BILLS, BOND PRINCIPAL AND INTEREST:** A motion was made by Bruha and seconded by Neal that the following bills in the amount of \$193,572.15; bond principal of \$25,000.00; bond interest of \$19,352.50 totaling \$237,924.65 approved by the Auditing Committee be approved for payment. Roll call vote: Bruha yes, Neal yes, Baker yes, Fortune yes. Motion carried.

**SALARIES:**

43940	Mark Frey	1306.37
43941	Forrest K Siebken	1240.98
43942	Mavis Lynn Ferris	35.46
43943	Jeanne M Hoggins	1275.21
43944	Gary Lee TeSelle	765.04
43945	Scott Dean Fosler	935.35

43946	Robert L Hull	805.74
43947	Beverly J Wehrs	533.58
43948	Edna A Riedl	418.81
43949	David R Dahle	914.08
43950	Louis J Bialas	947.78
43951	Bryce C Johnson	936.24
43952	Philip Winkelmann	963.55
43953	George A Matzen	233.45
43954	Joshua S Wiley	84.97
43955	Tracy L Yeackley	623.23
43956	Julia M Wang	116.83
43957	Erika S Hartwig	295.48
43960	Mark Frey	1306.37
43961	Forrest Siebken	1240.98
43962	Mavis Lynn Ferris	32.51
43963	Jeanne M Hoggins	1275.21
43964	Gary Lee TeSelle	818.09
43965	Scott Dean Fosler	935.35
43966	Robert L Hull	805.74
43967	Beverly J Wehrs	496.79
43968	Edna A Riedl	384.17
43969	David R Dahle	667.92
43970	Louis J Bialas	901.12
43971	Bryce C Johnson	896.87
43972	Philip Winkelmann	892.67
43973	George A Matzen	233.45
43974	Joshua S Wiley	106.20
43975	Tracy L Yeackley	623.23
43976	Julia M Wang	106.20
43977	Erika S Hartwig	295.48
43978	Brett Allan Muller	249.65
43833	Joyce Elaine Plessel	184.70
43834	Ricky Gene Fortune	138.52
43835	Dean Alan Bruha	138.52
43836	Emerson L Neal	138.52
43837	Jeffrey M Baker	138.52
<b>GENERAL FUND:</b>		
43886	Karmen Thompsen – WA/SW Deposit Refund	37.55
43887	US Postmaster – Utility Billing Postage	151.98
43888	Alltel – Cellular	69.76
43889	Windstream – Long Distance for Feb	5.48
43890	Aramark – Pants & Rags	224.67

43891	Atco International – Liberator 600	960.00
43892	American Society of Composers	284.00
43893	Butch’s Welding – Build Snowblade Lever	39.26
43894	Culligan Water – Soft Water	52.00
43895	Farmers Cooperative – Gas/Diesel for February	1044.96
43896	Deep Rock – Drinking Water	33.26
43897	Don’s Pioneer Uniforms – Uniform Pants	106.90
43898	Eakes Office Plus – Envelopes, PO Books, Ribbon	128.29
43899	VOID	
43900	EMP – Rescue Squad Supplies	439.45
43901	Farm Plan – Freight	5.50
43902	Garbage Co – Garbage Pickup for Feb	138.82
43903	Great Plains One Call – Locate Requests	8.55
43904	Healthplan Services – Health Insurance	7702.04
43905	JEO Consulting – Comprehensive Plan	565.40
43906	Kelly Supply Co – Ball Valve, Tape	18.38
43907	LECC – 2 Conference Registrations	190.00
43908	Memorial Health Care Systems – Hep B Vaccines	222.00
43909	Milford Plumbing – Repair Kitchen Sink	45.85
43910	Milford Supermarket – Groceries for Soup Lunch	91.24
43911	Brett Muller – Mileage	34.71
43912	NE Dept of Revenue – Sales Tax for Feb	1451.06
43913	NE Motor Parts – Fuel Filter, Repair Grass Rig	201.02
43914	NE HHS Regulation & Licensure – Swimming Permit	40.00
43915	NPPD – Service for Feb	4350.30
43916	NE Tech & Telecomm – Service for February	383.22
43917	NE Code Consulting – 5 Inspections	250.00
43918	NEMSA – NEMSA Renewal	245.00
43919	OMB Express – Rechargeable Flashlight Battery	43.97
43920	Aquila – Service for February	2292.72
43921	Paper Tiger Shredding – Minimum Pickup	50.00
43922	Pizza Kitchen – Meals & Catered Meal	192.00
43923	Racom Corp – Rapid Charger	47.75
43924	Rediger Chevrolet – Repairs on 2000 Dump Truck	196.40
43925	Roxanne Roth – Cleaning Services	250.00
43926	Mrs. Wayne Roth – Birthday Cake	16.00
43927	Sam’s Club – Paper Towels, Bath Tissue	104.66
43928	Seward County Ind – Notices, Minutes, Envelopes	367.34
43929	SPPD – Wells 1 & 2	471.11
43930	Meyer Ford – Oil Change	57.82
43931	Service Plus – Computer Power Supply	50.00
43932	Share Corp – Windshield Washer Fluid	119.52

43933	The Smoke-Eater – Renewal	209.00
43934	Milford Flowers & Gifts – Table Decorations	35.96
43935	Bruce Stutzman – Volleyball Director Fee	966.50
43936	Beverly Wehrs – Food, Supplies	18.99
43937	Windstream – Local, Internet, Library Phone	235.76
43938	Voss Lighting – Flashing Bulbs, Exit Bulbs	59.40
43939	Jones National Bank – CD Investment JTA Phase	135000.00
43958	Ameritas Group – Pension	1540.48
43959	Ed M Feld Equip – Latch, Gloves, Valves	1600.61
43979	Ameritas Group – Pension	1540.48
43986	AFLAC – Dis, Cancer, Acc, Supp	406.26
43987	Ameritas Group – Dental & Vision	1093.40
43988	Blevens Law Office – Legal Services for March	350.00
43989	BSN – Bats, Balls, Leg Guards, Mitts	650.38
43990	Centaur Enterprises – Duct Tape, Drill, Jobber	88.66
43991	Christian Book Distributors – 15 books	146.69
43992	D & D Communications – Remote Speaker	75.50
43993	Drummond American Corp – Clad Zinc	196.19
43994	Environmental Sciences – Service for Drainage Proj	656.25
43995	Fort Dearborn Life Ins – Life Insurance	113.52
43996	Great American Leasing – 3 Months Meter Rental	285.00
43997	Heartsong Presents – 4 Books	10.99
47998	Hawkins Water Treatment – LPC-4, Fuel Surcharge	818.10
43999	Ingram Library Services – 27 Books	275.65
44000	JWC Environment – Reducer	1557.10
44001	Kelly Supply Co – Alum Adaptor, Coupler	65.51
44002	Kiwanis of Milford – Concrete for Playground Equip	4000.00
44003	LESCO – Kaw Gasket	2.24
44004	Lynn Peavey Co – Finger Print Kits, Evidence	231.00
44005	Meyer-Century Lab – Poly Perm Patch, Frt	303.95
44006	George Matzen – Copier	434.49
44007	Menard’s Lincoln – Vented Shelves	39.46
44008	Milford Plumbing – Seal, Repair Stool, Toilet	954.10
44009	Milford School Dist – Parking Fines	79.00
44010	Milford Fire & Rescue – Fire School, Meals, Hotels	1686.84
44011	MidAmerica Book – 12 Books	187.73
44012	Mutual of Omaha – Disability	79.33
44013	NE Health Lab – Nitrate/Nitrite, Coliform	52.00
44014	Racom Corp – Portable Radio	26.78
44015	Edna Riedl – Mileage to Exeter	25.81
44016	River Metal Products – Flat Metal, Cutting	163.25
44017	Roxanne Roth – Cleaning Services	305.00

44018	Shell Fleet Plus – Fuel for February	577.69
44019	St Paul Stamps – Golf Cart License Stickers	82.10
44020	Union Bank – Gary TeSelle Acct	300.00
44021	Windstream – Directory Ad, Paging Wide-Area & Local	26.01
44022	Zep Manufacturing – Sewer Aid	348.46
44023	Zim International – Paint, First Aid Kits, Frt	242.90
44024	Thrasher Basement – Install 7 Foundation Piers	9800.00

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Milford Aging Services Commission minutes from February 27 and March 27, 2007; Swimming Pool Board minutes from March 22, 2007; Fire Dept. minutes from March 13, 2007; Police Dept. Activity Report for March 2007; Fire reports for January, February and March; Rescue NARSIS reports for February and March. Bruha – Steve Rogge is on his way from Norfolk to report on the storm sewer project. Baker – Sr. Center experienced flooding in the basement under the stairs due to a broken down spout. Frey has been notified and some additional caulking will be done. Chief Siebken gave monthly activity report. Frey – the Library wall has been repaired, they raised the building approximately 3/4“. The streets that have been tore up due to water main breaks will be repaired after things dry up a bit. Fortune – when a building permit is pulled for new home construction a letter will be attached suggesting that a check valve be placed on the main sewer service going out of the house. Melena presented Fire Report for January, February and March. Pancake Feed went well, serving approximately 400 people. Mayor Plessel noted rescue calls for February and March. Mayor Plessel also announced that the next regular Council meeting will be held on Monday, April 30, 2007 due to approving the Webermeier Scholarships. Honors Night is Tuesday, May 1, 2007.

**COMMUNICATIONS:** \*The Council watched a tape on LB564 provided by the League of NE Municipalities regarding Recreation Liabilities. Steve Rogge arrived. \*Sales tax received for the month of January 2007 was \$10,438.03. \*Galaxy Cable annual franchise fee received in the amount of \$6,657.10. Steve Rogge informed the Council of work to be done on the 6<sup>th</sup> Street storm sewer project. Bruha is following up on easements. They will dig out the silt and lay a pipe to the water will run thru it. When paper work is received a special meeting will be called to allow the project to get started.

**PUBLIC HEARING:**

**Citizen Advisory Committee – Update:** Mayor Plessel opened the Public Hearing at 8:16 pm. Bruha reported on financials: Revenue year to date: \$112,686.35; Expense year to date: \$50,629.11 Balance \$62,057.24. The only two businesses participating with the Economic Development program are CY Manufacturing Inc. and Dragonfly Desserts. An auction will be held this Saturday, April 7, 2007 to sell the Dragonfly Desserts. Selling the

business will break the agreement with the Economic Development Program. No further comments the Public Hearing closed at 8:20 pm.

**UNFINISHED BUSINESS:**

**Silent R.R. Crossing – Walnut & Park Ave.:** Bruha presented information from a company in Texas on silencing the crossing during the evening hours. They are a turn key operation and would take the project from start to finish. Bruha has sent a letter and tried calling the NDOR with no luck of a response. Neal stated that the Chamber of Commerce has offered to help with the fundraising part of the project. Melena asked if the Hwy will need to be closed and for how long during the construction of the R.R. double tracking. This is a concern for the Fire & Rescue Dept. to access the northeast part of town and the interstate. Frey commented that he will be meeting with a gentleman from Oklahoma regarding the double tracking on Thursday, April 5th at 10:30 am.

**NEW BUSINESS:**

**Appointments:** A motion was made by Bruha and seconded by Baker to approve the Mayor's recommendation to appoint Matt Young to the Planning & Zoning Commission for a 1 year term expiring 2/1/08. Roll call vote: Bruha yes, Baker yes, Fortune yes, Neal yes. Motion carried.

**Approve Fire Dept. membership roster:** A motion was made by Fortune and seconded by Baker to approve the Fire Dept. roster as presented. Roll call vote: Fortune yes, Baker yes, Bruha yes, Neal yes. Motion carried.

**Hire Pool Employees for Summer Season 2007 – Set Wages:** A motion was made by Neal and seconded by Fortune to approve the following individuals as Pool employees for the 2007 season: Beth Dierberger, Manager \$4200.00; Whitney Page, Asst. Manager \$3500.00; Lifeguards – Darrin Velder \$6.85 per hr., Josh TeSelle \$6.70 per hr., Paige McAvoy \$6.55 per hr., Benjamin Larson \$6.55 per hr. and Jenna Jolly \$6.55 per hr. Roll call vote: Neal yes, Fortune yes, Baker yes, Bruha yes. Motion carried. Neal reported opening date of May 21, 2007 and closing date of August 10, 2007. If guards are available the pool will remain open on weekends until Labor Day.

**Annual Approval of Private Wells:** A motion was made by Bruha and seconded by Fortune to approve the following private well permits: Rick Bell 905 Park Ave., Justyn Peterson 742 1<sup>st</sup> St., Miles McGonigle 303 N F Street, Jim Stutzman 465 N. "F" St. Roll call vote: Bruha yes, Fortune yes, Baker yes, Neal yes. Motion carried.

**Amend Ordinance #                      Stop Signs:** A motion was made by Bruha and seconded by Baker to approve the following ordinance:

ORDINANCE NO. 789

AN ORDINANCE TO AMEND ARTICLE 2, SECTION 5-217 OF THE MILFORD MUNICIPAL CODE RELATING TO STOP SIGNS; TO

PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

**Hire Part time Summer Maintenance Employee:** A motion was made by Neal and seconded by Fortune to approve the hiring of Alex Hull as full time maintenance employee at an hourly rate of \$6.15 per hr. for the summer of 2007. Roll call vote: Neal yes, Fortune yes, Baker yes, Bruha yes. Motion carried.

A motion was made by Bruha and seconded by Baker to hire Nick Bernasek as part time maintenance employee at an hourly rate of \$6.30 per hr. for the summer of 2007. Roll call vote: Bruha yes, Baker yes, Fortune yes, Neal yes. Motion carried.

**EXECUTIVE SESSION – Real Estate:** Mayor Plessel stated the reason for going into executive session was to discuss real estate matters. A motion was made by Neal and seconded by Fortune to adjourn from regular session into executive session. Roll call vote: Neal yes, Fortune yes, Baker yes, Bruha yes. Motion carried and council went into executive session at 8:54 pm. to discuss real estate. A motion was made by Bruha and seconded by Baker to return to regular session. Roll call vote: Bruha yes, Baker yes, Fortune yes, Neal absent. Motion carried and Council returned to regular session at 9:15 pm.

**ADJOURNMENT:** A motion was made by Fortune and seconded by Neal to adjourn the meeting. Roll call vote: Fortune yes, Neal yes, Baker yes, Bruha yes. Motion carried and meeting adjourned at 9:15 pm.

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Jeanne Hoggins, City Clerk

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J. Elaine Plessel, Mayor

#### CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on April 3, 2007 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were

provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.  
(SEAL)

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Jeanne Hoggins, City Clerk